IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 3262 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

1. Mr. Rajesh M. Agarwal
2. Mr. P.R. Sonawane
3. Mr. S.C. Pandey
4. Mr. C.R. Kumar
5. Mr. A. B. Sawarkar ... Applicants.

V/s

State of Maharashtra .... Respondent.

Mr. P.D. Desai i/by Little & Company for the applicants

Mrs. M.M. Deshmukh, APP for the State.

CORAM : S.C. DHARMADHIKARI, J.
DATE : 1st September, 2006

P.C.

. This is an application for transit bail.

2. The learned Counsel appearing for

the applicants submits that all applicants are employees of Ajanta Pharma Ltd. and the original complainant has filed a private complaint before the Metropolitan Magistrate, who directed the Hare Street Police Station to investigate the matter and treat the complaint of the original complainant as an FIR. Thereupon, the FIR has been registered under Sections 420, 387, 467,468,471 r/w section 34 of Indian Penal Code by the said police station.

3. My attention is invited to the fact that the officers of the concerned police station at Kolkata have come down to Mumbai to investigate and applicants are apprehending the arrest in connection with the aforesaid FIR. The applicants apprehend that the Charkop Police station would take necessary steps, may even arrest the applicants for commission of non-bailable offences as pointed out above. My attention is also invited to

the fact that there are proceedings against the original complainant and her husband for the offence under section 138 of Negotiable Instruments Act initiated by Ajanta Pharma Ltd. and it is contended that thus the present FIR is noting but a counterblast.

4. Applicants specifically pointed out through their Counsel that they are willing to attend the Hare Street Police Station, Kolkata and cooperate in the investigation, so also make appropriate application to the competent Court at Kolkata for anticipatory bail. They only seek protection for a limited period to enable them to take appropriate proceedings.

5. Having perused the application and hearing learned Counsel for the applicants, as also the learned A.P.P, in my view, ends of justice would be subserved if the present application is

disposed of by directing the Charkop Kandivali (West) Police Station not to proceed to arrest the applicants in pursuance of the investigation pending at Kolkata for a period of 10 days from today, to enable them to take appropriate proceedings.

6. Needless, to state that after a period of 10 days from today, this order will automatically come to an end and all concerned thereafter to proceed in accordance with law. The learned Counsel for the applicants state that in the meanwhile, the applicants would attend the Charkop, Kandivali (West) Police Station as and when summoned.

. This order is passed in the presence of API, Jorje Fernandies from Charkop Kandiavali (West) Police Station.

. Application is disposed of.

(S.C. DHARMADHIKARI, J.)